



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

OFFICE OF THE PLANNING BOARD

WEDNESDAY – JANUARY 30, 2008 — 7:30 PM
TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

ANNUAL MOBILE HOME PARK REVIEW:

- a. **BRITTANY TERRACE MOBILE HOME PARK – STATION ROAD (KEAN)**

REGULAR ITEMS:

1. **SILVER STREAM ROAD CORPORATE PARK (07-29) SQUARE HILL ROAD (MASER)** Proposed 100,000 s.f. manufacturing/office use within a single building with amenities.
2. **SISTERS OF THE PRESENTATION (07-15) JACKSON AVENUE (NEILER)**
Proposed convent housing and place of worship
3. **CREEK VIEW MOBILE HOME PARK (07-32) WALSH AVE. (GLYNN)**
Proposed renovations to existing mobile home park.

DISCUSSION:

4. **BCM SENIOR PROJECT – MT. AIRY ROAD - RECOMMENDATION TO TOWN BOARD**
5. **SCHIASANO – RT. 9W – CURBING**

ADJOURNMENT

(NEXT MEETING – FEBRUARY 13, 2008)

January 30, 2008

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TOWN OF NEW WINDSOR

PLANNING BOARD

JANUARY 30, 2008

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
NEIL SCHLESINGER
HENRY VAN LEEUWEN
DANIEL GALLAGHER

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MYRA MASON
PLANNING BOARD SECRETARY

DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY

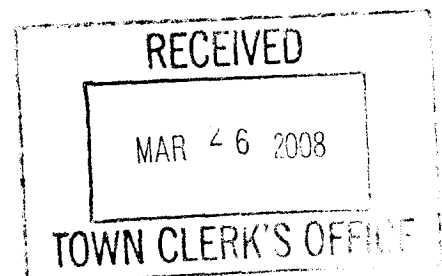
ABSENT: HOWARD BROWN
HENRY SCHEIBLE

MICHAEL BABCOCK
BUILDING INSPECTOR

REGULAR MEETING

MR. ARGENIO: I'd like to call to order the January 30, 2008 meeting of the New Windsor Planning Board. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was



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recited.)

MR. ARGENIO: I'd like to welcome everybody to the January 30, 2008 planning board meeting, second meeting of the year. Mike Babcock will not be here tonight, he spoke to me and he went away or something.

MS. MASON: Yes.

MR. ARGENIO: As is the case with Mr. Scheible and Mr. Brown but we certainly do have four members and we need three to have a quorum and we have exceeded that requirement. That being said, I'm going to get right to the agenda.

ANNUAL_MOBILE_HOME_PARK_REVIEW

BRITTANY_TERRACE_MOBILE_HOME_PARK

MR. ARGENIO: First item is the Brittany Terrace Mobile Home Park on Station Road which is represented by Mr. Kean. Mark, has anybody from your office or are you aware of any problems with Mr. Kean's mobile home park? Have you heard from Mike on that? Have you heard anything that needs to be addressed in that mobile home park? Typically, Mr. Kean keeps a pretty neat package, are you aware of anything?

MR. EDSALL: Mike has mentioned no problems to me. Mr. Kean's been very cooperative in the past with Mike's department so I don't believe there's any problems,

MR. ARGENIO: Neil, do you have any problems?

MR. SCHLESINGER: I keep my eye on it, everything seems tiptop.

MR. ARGENIO: I certainly keep my eye on it too.

MR. VAN LEEUWEN: All the years I've been sitting here we've never had a problem.

MR. ARGENIO: He's done a fine job.

MR. KEAN: It's actually my wife who does it.

MR. ARGENIO: Mr. Kean, do you have a check here tonight made out to the Town of New Windsor for \$385?

MR. KEAN: Yes.

MR. ARGENIO: I'll accept a motion that we offer one year extension for Mr. Peter Kean for Brittany Terrace.

MR. VAN LEEUWEN: Second it.

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MR. SCHLESINGER: Motion's been made and seconded that the Town of New Windsor Planning Board offer one year extension to Mr. Peter Kean at the Brittany Terrace Mobile Home Park. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Thank you, Mr. Kean, and keep up the good work because it's nice to drive by there and see a nice, neat, well-kept facility.

REGULAR_ITEMS:

SILVER_STREAM_ROAD_CORPORATE_PARK_(07-15)

MR. ARGENIO: First regular item on the Planning Board agenda is Silver Stream Road Corporation located just off 207. This application proposes development of 100,000 square foot manufacturing facility for use on the 15.5 acre property. The plan was previously reviewed at the 24 October, 2007 planning board meeting. Sir, can you turn that towards us please? This is not a public hearing tonight. Can you please give your name and the firm you're with for Franny?

MR. FETHERSTON: Andrew Fetherston, Maser Consulting.

MR. ARGENIO: And tell us what you're doing here. We have already had an introduction, the board members have had introductions to this project, would you please tell us about some of the improvements you made on the project? And I would like you to stay away from the traffic issue on 207 because I see Mr. Greeley here tonight and I'd like to hear from him briefly on that after you're done.

MR. FETHERSTON: Certainly.

MR. ARGENIO: Guys know where this is right top of Silver Stream Road, Neil, just passed the Thruway if you make the right, go to the top of the hill near the old New Windsor dump.

MR. SCHLESINGER: Going out of my parking lot.

MR. ARGENIO: Make a right after the Thruway.

MR. SCHLESINGER: On the north side.

MR. FETHERSTON: Mr. Chairman, Mr. Schlesinger, Moroney's, Route 300, parcel is right here.

MR. SCHLESINGER: Thank you.

MR. ARGENIO: Go ahead, Mr. Fetherston.

MR. FETHERSTON: Since we last came to you the biggest change in the layout we have done the grading, the utilities, the grading showed that the original loop road that we had shown which was to go all the way around the facility to carry all vehicles 360 degrees around the facility was not going to be feasible without an expensive retaining wall system in this area where the grade drops off as it goes down towards the Thruway. That being the case what we have decided to do is to have the circulation of all the vehicles come in, the passenger cars come in, find parking spaces, have a hammerhead type turnaround at this location then a gated emergency access so that emergency vehicles would be unimpaired from full circulation of the building. Any deliveries whatsoever we were thinking UPS Fed-Ex, the larger semi-trailers could come right into the loading area so there would be no need to have any trucks and we would sign this such to have all trucks come into the loading area where there's, maneuvering would be easy for them. We have shown connection to sewer and town water, we have done hydrant flow testing out there.

MR. ARGENIO: I want to read Mark's comment number 2 bulletin 1, the plans depict the water and sewer services through an easement. To the Town of New Windsor town attorney will need to verify that such private improvements are permitted in the easement or make such a judgment as needed to permit the same. Where are you with that?

MR. FETHERSTON: There's this easement here, we're investigating that easement, if we're not using this easement we'll be bringing water from quite a distance.

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MR. ARGENIO: So you'll be bringing it probably from the intersection?

MR. FETHERSTON: Yeah.

MR. ARGENIO: Underneath the Thruway?

MR. FETHERSTON: No, no, no, the water comes to about this location if you will, I'm going to bring it over and show you the improvements on Silver Stream Road, let me try and orient you a little better since I flipped this.

MR. ARGENIO: I don't need to see the picture, does the water have to come from 207?

MR. FETHERSTON: No.

MR. ARGENIO: Somewhere on Silver Stream Road you'll have to pick it up if you can't get the benefit of the easement.

MR. FETHERSTON: That's right and sewer, yes.

MR. ARGENIO: Fine, you have to pitch because you're up on the top a knoll?

MR. FETHERSTON: Sewer will be served by a pump station presently the only thing that's using the sewer, the sewer goes all the way down to the bottom of the hill adjoining the dump area, the leachate from that is the only thing that's leaving there, Mark, that is pumped up the hill and then discharged. So we would actually gravity down and then have to put in a pump station as well so we're very much hoping that we can use that easement. That's the biggest change from a vehicular or site development layout.

MR. ARGENIO: Let me ask you this, and for the benefit of my fellow members, Mark has got a lot of, he's got

clean-up issues on this thing that he can submit them, I want to try to stay away from them, give the applicant them to clean it up. For instance, wheel stop details, handicapped parking sign details, let Mark and the applicant work it out but I do want to hit on one thing and then I'd like to hear from the other members. Who's handling the improvements to Silver Stream Road?

MR. FETHERSTON: The applicants.

MR. ARGENIO: You or Mr. Greeley?

MR. FETHERSTON: We did the plans for the improvements to Silver Stream Road after meeting with Mark and the Highway Department.

MR. ARGENIO: Well, what does that mean? I don't know what that means.

MR. FETHERSTON: We had a site meeting, we walked up and down Silver Stream Road, saw where there needs to be improvements to facilitate size and quantity of the vehicles that will be coming in and out of the site. Originally, we were looking for another access point.

MR. ARGENIO: Unless you build a bridge over the Thruway. So you have a flavor at this point in time for what the highway superintendent and Mr. Edsall's looking for?

MR. FETHERSTON: We have exact direction from them from that meeting, yes.

MR. ARGENIO: And you're going to include those drawings as part of this plan?

MR. FETHERSTON: They are incorporated in this set presently basically a 30 foot wide roadway with curbs and some drainage improvements.

MR. ARGENIO: Let me ask you a direct question without me having to take the time in this venue to digest everything that's on here. Are you proposing a 30 foot wide curbed road from your facility down to 207?

MR. FETHERSTON: No.

MR. ARGENIO: Okay, what are you proposing?

MR. FETHERSTON: From our facility curbing the road putting in some drainage improvements as necessary up to the top of the hill then down the hill down to where it makes an abrupt curve.

MR. ARGENIO: I know where that is.

MR. FETHERSTON: Approximately that location.

MR. ARGENIO: From that location down are you going to see to it that there's the 35 foot or 30 foot wide clear drivable area?

MR. FETHERSTON: We could look at that again, we drove it with Mark, we went with the Highway Department, there was no other mention of any other improvements on than roadway.

MR. ARGENIO: Mark?

MR. EDSALL: Yeah, as they have submitted it now it's about 1,250 foot of roadway improvements as Andy indicated from just above the access drive down passed the hairpin turn and I don't know a couple hundred feet passed that turn it tapers back into the existing road.

MR. ARGENIO: Any improvements from that point and 207?

MR. EDSALL: No, at this point the highway superintendent didn't contemplate the need for any.

MR. ARGENIO: Do we have appropriate width in that area?

MR. EDSALL: It doesn't meet the current road standard but given the lack of horizontal curves it's a straight run, he didn't feel there was any additional improvements needed there. So Andy's indication that they have shown exactly what was discussed in the field is correct, if the highway super looks at it and looks at the downhill area, thinks there's some other shoulder work that needs to be done he'll tell us.

MR. ARGENIO: As part of these plans do you indicate how many trips daily will be generated?

MR. FETHERSTON: We had it in the EAF, I'd have to look back.

MR. ARGENIO: I'd like to see it on the plan.

MR. FETHERSTON: Sure.

MR. ARGENIO: I'm not looking for brain surgery but I'd like to know about the quantity of trips generated.

MR. FETHERSTON: I'll put that on.

MR. ARGENIO: How many employees?

MR. FETHERSTON: I'm joined tonight by Mr. Titulo (phonetic) from Hillside.

MR. TITULO: Our customer has been telling us initially about 50 employees.

MR. ARGENIO: That's good, okay.

MR. TITULO: Good jobs.

MR. ARGENIO: No, that's good, certainly not complaining about that. Okay, I have covered a lot of the things that I wanted to cover tonight, if you guys have any questions certainly be my guest and chime in and again, guys, this is early, I mean, they're coming here with a plan that's an early plan. Mark has reviewed it, they're well on their way to the getting their SWPPP squared away. There's plan improvements that have to be done. I do have one question, Mr. Fetherston, or maybe this is to Mark or you, I'm not sure, what's a level spreader relative to the SWPPP plan, anybody know what?

MR. EDSALL: We're talking about the county referral level spreader, storm water level spreader, basically a means of dissipating the flow in a larger area rather than having it collected and even if it's dissipating with the stone outlet it's more still concentrated whereas a level dissipater will take it to the point of discharge out of a pipe and disperse it.

MR. ARGENIO: Mark, next question to you relative to the SWPPP, I'm going to kind of summarize a little bit, you say here Mark the upper right corner two catch basin details can be found on the utility detail sheet, the detail on the lower left-hand corner of the sheet does not include a concrete compressive strength that includes catch basin CB 36 and the 12 inch minimum sump, the sump, the upper right detail does not include the sump, please add the compressive strength of what for the catch basins?

MR. EDSALL: Mr. Zaworski (phonetic) did the comments.

MR. ARGENIO: If it's relative to the catch basin just say DOT, meet DOT standard.

MR. EDSALL: I will tell Mr. Zaworski to get more pointed with his questions.

MR. ARGENIO: Why do we need sumps, Mark? I'm adverse to them.

MR. EDSALL: I believe sumps are one of the recognized methods in the state regulations on water quality management.

MR. FETHERSTON: It can catch sediments as a primary catchment of, you know, the large settleable items, we could have it bottomless if you prefer, we have not done any soil percolation tests.

MR. ARGENIO: You're not going to get perc.

MR. FETHERSTON: We could make them bottomless if you're worried about mosquitoes.

MR. ARGENIO: Yeah, it's attractive to mosquitoes.

MR. FETHERSTON: We could have the bottoms solid and have no sumps.

MR. ARGENIO: What are your thoughts?

MR. EDSALL: I will defer to John because that's one of the methods as Andy indicated for initial settlement out of contaminants.

MR. ARGENIO: If it can be done without sumps I think it's a better thing. You disagree with that, Mark?

MR. EDSALL: I don't disagree but if that's one of the measures that's needed they'll have to do something to offset taking them out.

MR. ARGENIO: I'm not telling you to take them out, what I'm saying if it is not one of the measures I'd like to see them not there quite frankly and I mean that everywhere on the plan. Neil or Henry or Danny if you guys haven't been, as I said, please just interrupt

me.

MR. SCHLESINGER: Obviously have a tenant?

MR. FETHERSTON: Mike?

MR. TITULO: Yes, we do, this is a specific build to suit requirement for a company from New Jersey.

MR. SCHLESINGER: What type of manufacturing?

MR. TITULO: We can't get into the details but they're involved in the telecommunications industry.

MR. ARGENIO: I know. I'd have to kill you if I told you. Nothing hazardous, they're not cleaning tires or anything crazy like that.

MR. TITULO: It will have a positive affect in getting the odors quicker to the kitchen.

MR. VAN LEEUWEN: Are you selling hamburgers there?

MR. ARGENIO: Danny, do you have any thoughts? As I said it's early, we'll see this a few more times.

MR. GALLAGHER: Nothing right now.

MR. ARGENIO: Want to pass this around, Phil, Mr. Fetherston, do you have anything else?

MR. FETHERSTON: No.

MR. ARGENIO: Thank you for your presentation. Phil, guys, we got the highway plans, never mind, Phil, I've got you covered, okay, go back over there.

MR. GREELEY: I've got them colored.

MR. ARGENIO: Big deal.

MR. ARGENIO: The highway plans, Mark, he's trying to trump you, I think these are the highway improvements for 207, we didn't receive these plans or I say we, Mark Edsall did not receive a complete set of these plans until late in the game and that means today or yesterday or some such thing. So that's why we don't have a complete presentation of the highway drawings but I think Mr. Greeley went through the highway improvements last time, did you not?

MR. GREELEY: I'll give you a synopsis. At the last meeting we had prepared a concept using aerial photography and as a result of that the concept was to improve Route 207 and Silver Stream Road. This is the intersection here, Silver Stream Road, Verizon is here, this is the Thruway overpass here and essentially this is where the roadway next down from a three lane to a two lane roadway which the light gray on this plan represents the travel lane, it continues as a two lane road as you head west. After that meeting, we went out and Maser had acquired a field condition survey, grades, catch basins, utility poles, right-of-way so we could advance it to see what would be needed or was it feasible what we had come up with based on the aerial photography and some field sketches. So we received the detailed survey which are the other plans that you have and we identified right-of-way limits along both 207 and on Silver Stream Road and in order to accomplish this the yellow area in here represents the area that would be either new shoulder or new pavement, okay. Route 207 has one lane in each direction plus shoulders, this plan was maintaining the southerly curb line, the southerly shoulder and then adding an additional lane for turning movements for vehicles turning left into Silver Stream Road, it was extending the existing stacking, right now from Route 300 traffic stacks up and will block the through lane so this plan provides additional stacking for vehicles heading towards 300, it provides a left turn lane for vehicles

turning into Silver Stream Road and it also provides a left turn lane for traffic going onto Moores Hill Road which is in the afternoon is a very heavy left turn movement.

MR. ARGENIO: If you guys remember I think it was your idea, Neil, I don't remember whose idea it was, but the original plan was to improve the eastbound movement and somebody here I thought it was you, Neil, maybe I'm mistaken, mentioned that the left turn movement onto Moores Hill Road is problematic as everybody knows so Mr. Greeley--

MR. EDSALL: Mr. Greeley heard from me early on that included that left turn movement.

MR. SCHLESINGER: That whole section from Moores Hill to 300 is probably one of the worst intersection in the county from 3:30 to 5:30.

MR. ARGENIO: I agree.

MR. SCHLESINGER: I'm not a rocket scientist but one of the major problems there is when you're going east the traffic backs up and the people who want to go straight and not make the turn onto 300 want to continue east on 300 and 207 cannot get through because the people who are making the left turn are already backed up and they need that little extra width there.

MR. ARGENIO: They probably increased the distance of that queuing lane you're describing by four fold, I'm not measuring it.

MR. SCHLESINGER: That's the proposal, if this could be cured it's a Godsend.

MR. ARGENIO: P.S., we have the support and endorsement of Mr. Boucher in DOT.

MR. EDSALL: Early in the game when the applicant came in at the workshop, Phil and I discussed in great detail this scheme and I contacted DOT in Poughkeepsie, Scott Geiger (phonetic) and Glen Boucher and explained to them the problem and what solution Phil and I thought would work and DOT agreed and are fully aware of the problem and I believe are going to come to the table rather swiftly to this.

MR. ARGENIO: To get approval on this because they recognized it as we did as a good solution.

MR. SCHLESINGER: Until the other problem, it's not a problem but the trucks coming south on 300, that turn right going west onto 207 it's very difficult for the track, for trailers to make that turn and they're always with the rear tires going up on that curb and you go there now you can look how it's just better down.

MR. ARGENIO: Are you going to have tractor trailer deliveries from that direction?

MR. TITULO: Yes.

MR. ARGENIO: Maybe you guys ought to look into opening that radius up a little bit, not talking about rebuilding the intersection, talking about something as easy.

MR. GREELEY: Where the Mobil Station was.

MR. ARGENIO: Let's think about maybe pulling that curb line back a little bit and giving us another five or six feet at the apex of the radius.

MR. TITULO: May I add because of the new Drury Lane interchange all of the, almost all of the traffic coming out of the facility will be making a right-hand turn going to a customer at the airport then going to

Drury Lane onto 84.

MR. ARGENIO: Mike, what Neil has just suggested and in the grand scheme of things in what you're doing is minutia.

MR. GREELEY: It's a good improvement.

MR. ARGENIO: It's really minutia.

MR. GREELEY: We're already dealing with that intersection also in terms of the signal operation to try to get some more green time.

MR. ARGENIO: The timing.

MR. GREELEY: Yes, at the signal itself so when we go to Poughkeepsie this will open that up and the other thing, you know, in terms of right at Silver Stream the same thing applies here we're opening up the radius to turn off 207 onto Silver Stream. The one thing I'd like to discuss at the meeting we presented the plan and we talked about some involvement in working with the town to possibly get if we need right-of-way, we have established right-of-way and on this drawing I know it's a small scale but there is a crosshatched area here, the existing property line along Silver Stream Road actually gets very close.

MR. ARGENIO: Phil, are you going to get to talking about the telephone company and ask us what we can do about that?

MR. GREELEY: Verizon, yes.

MR. ARGENIO: Mark, go ahead.

MR. EDSALL: The town has already met to discuss the application, Supervisor's authorized building inspector, Mike Babcock and myself to reach out to

Verizon to ask them to make the dedication so we'll work with you on that. I have already talked to the property owner to the west in case we need any curb line adjustments at the what's know a Volvo rental company that owner has verbally agreed to do whatever we need to do to help along.

MR. ARGENIO: How's that, Mike?

MR. TITULO: Thank you.

MR. ARGENIO: Told you we'd do it.

MR. GREELEY: We'll advance these, we'll incorporate those and I think what I will do Jerry if it's okay Mark and I can go to the DOT now.

MR. ARGENIO: Yeah.

MR. CORDISCO: In terms of additional procedural steps these plans are going to require referral to the County Planning Department, they're also going to need to take the step of circulating for lead agency.

MR. ARGENIO: We're going to get to that, yeah, it's okay, Phil, what else, you got any highlights?

MR. GREELEY: That's pretty much it. I think this will help this operation, Moores Hill Road is a problem so it will help the whole situation.

MR. VAN LEEUWEN: Definitely help that situation.

MR. ARGENIO: Do a complete set of plans, I think that Danny's kind of mute on this whole thing, I assume he's in agreement.

MR. GALLAGHER: Yes.

MR. VAN LEEUWEN: No problem.

MR. ARGENIO: Neil, you had a very good suggestion there. If anybody sees fit, I'll accept a motion that we issue a lead agency coordination letter.

MR. VAN LEEWUEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board authorize circulation of the lead agency coordination letter for Silver Stream Road Corp.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: We don't need to discuss anything about making the referral to planning on the county level cause that will be done in any event. Dominic or Mark, am I messing else?

MR. EDSALL: Just ask the applicant to please submit additional sets, contact Myra for the number, we're going to want to incorporate your off-site improvement plan so when we make the referrals they're included and we'll take care of those two referrals.

MR. GREELEY: Thank you.

MR. ARGENIO: Thank you guys. Let's continue moving and we'll get you on the agenda when you're ready.

SISTERS_OF_THE_PRESENTATION_(07-15)

MR. ARGENIO: Sisters of the Presentation. Application proposes group residence complex at the south end of the property. The plan was previously reviewed at the 23 May, 2007 and 12 December, 2007 planning board meetings. Sir, what's your name and the firm you're with?

MR. NEILER: Eric Neiler with Tinkerman Architecture.

MR. ARGENIO: Tell us what you want to do.

MR. NEILER: Well, we'd like to get site plan approval, we had a relatively short list.

MR. ARGENIO: You want site plan approval?

MR. NEILER: If it's possible, I mean, hopefully that's our goal.

MR. ARGENIO: Got very high goals.

MR. NEILER: We had a relatively short list of comments from Mark and I believe we worked through the bulk of them. We do have a couple of things, I'm not sure where we stand on one, we've not heard back from the City of Newburgh about their review of the watershed item, property slopes the other way, I don't think we're impacting.

MR. VAN LEEUWEN: Would you speak louder? I'm getting older, little hard of hearing.

MR. NEILER: Some of the items that Mark had noted, we've had a number of e-mail exchanges and information, all exchanges between Larry, Mark and myself and I think we have, I believe we have I mean obviously leave it to Mark to agree or disagree but I think we worked through the issues.

MR. ARGENIO: What about Orange County Planning?

MR. EDSALL: I'm just pulling out the comments, they have come back with local determination.

MR. CORDISCO: They have made at least one suggestion.

MR. ARGENIO: That's the sidewalk loop.

MR. EDSALL: Which you determined at the last meeting that in fact there is a sidewalk internal.

MR. NEILER: I think we took care of the local, there was a comment by the fire inspector and I think he understands we have added the fire lane he asked for in front of the administration building. We previously added one in front of the, I have that approved here. There was a, when were here last, there was still an open item from the 911 people, they had asked that a street name be assigned so they can in turn assign street numbers. We have done that, although I think that drawing has not been submitted but it exists but we communicated the street name and sent it to Mr. McDonald and he sent me back street numbers and we put them on the buildings. The highway supervisor there was, we just took us a little while to clarify what was required there and I believe actually Larry if you can take that we were--

MR. PAGGI: We spoke to--

MR. ARGENIO: Sir, come forward.

MR. PAGGI: I actually spoke to Mr. Fayo.

MR. ARGENIO: For the benefit, Father John is the principal of Lourdes High School and he does work with him and Father John is a good friend of mine too so that's the joke.

MR. PAGGI: I spoke to Mr. Fayo and he had indicated that there are some existing concerns relative to a couple of culverts that cross Jackson, they do surcharge on larger storms. He's aware that we're planning on constructing a storm water management system. He's also recognizing that that storm water management system will most likely improve existing drainage conditions. So the discussion that we had was that he would ask us to continue to monitor the situation down there he said there's no reason to fix the pipes if our storm water system actually does it for us but if there continues to be a surcharging situation that we would either add one additional pipe to our driveway or in lieu of that go downstream and replace one of the other pipes with a larger diameter culvert.

MR. ARGENIO: This storm water management system where is the design for this?

MR. PAGGI: It's in the detailed engineering plans.

MR. ARGENIO: Do we have the benefit of that?

MR. PAGGI: You do.

MR. ARGENIO: Mark, do we?

MR. EDSALL: It was part of the original SWPPP and covered on the plans.

MR. ARGENIO: I don't want to see it, go ahead.

MR. PAGGI: We're anticipating that we're going to be reducing storm water to Jackson. And Mr. Fayo's request I think is certainly more than reasonable if subsequent storms do continue to result in surcharging to the culverts then at his preference either an additional pipe will be installed or an existing pipe

will be ungraded.

MR. ARGENIO: Mark, is Anthony okay or are you all right?

MR. EDSALL: I have had several different answers but I understand that's where it stands now, we'll just make sure the plans have such a note.

MR. ARGENIO: What would the note say?

MR. EDSALL: It would indicate that the applicant will either add or replace storm water piping within so many years of C of O if deemed so necessary by the highway superintendent. That way it leaves him the opportunity to require it.

MR. ARGENIO: How do we ensure that we're going to do that?

MR. EDSALL: Cause they'll most likely put up a bond to cover it and then within the two years if it's not needed they'll just get the money back.

MR. ARGENIO: Go ahead, Mr. Paggi.

MR. VAN LEEUWEN: There's no holding pond?

MR. PAGGI: There is, perhaps not shown on your plans.

MR. VAN LEEUWEN: No, I don't see it. How is the perc back there?

MR. PAGGI: Perc's not bad.

MR. ARGENIO: It's terrible.

MR. PAGGI: Well down below you've only got a couple feet.

MR. ARGENIO: Barely within compliance.

MR. VAN LEEUWEN: Years ago they always had problems removing septic.

MR. ARGENIO: Now will the perc, is that bad that you're talking about an aboveground system, are you not?

MR. PAGGI: Correct, actually, the perc is definitely usable in the upper soils just that we don't have a lot of depth of soil there that we're contending with.

MR. VAN LEEUWEN: What's your perc?

MR. PAGGI: You're asking me a question that I don't know.

MR. ARGENIO: This is Department of Health, is that right, Mark?

MR. EDSALL: Yes.

MR. PAGGI: Should be written right on there.

MR. VAN LEEUWEN: Okay, here it is.

MR. ARGENIO: Go ahead, continue Mr. Paggi. What else?

MR. NEILER: So the highway we're going to--

MR. ARGENIO: That's done, go ahead.

MR. NEILER: Office of Parks, Recreation and Historic Preservation we request for a survey, it was done, we submitted our report to them, I believe letters have been received by Mr. Edsall that no further studies were required and that item is closed also. The DEC I think the last comment letter that Larry received we have had, there were six comments, five of them I think

were sort of in the nature of housecleaning of the application and the last one was about the device that was going to be used at the--

MR. PAGGI: We received two notices of incomplete application from the DEC, one relative to the storm water plan which was just mentioned, most of the items were just housecleaning and one I think I attribute to just the reviewer not being familiar with using the mechanic separator in a situation like this. We had subsequent conversations with the DEC and we're confident that that's going to be an acceptable design to them so with the notice of incomplete application, second one was relative to the sewage disposal system and the only outstanding comment there was that they're awaiting the health departments verification of our perc test results.

MR. ARGENIO: From DEC?

MR. PAGGI: From DEC.

MR. ARGENIO: Mark, I'd like to ask you a question please your comment number 4 the board is reminded that a report from the Orange County Department of Planning is required following any approval of this application. Dominic or Mark, what's that all about? I don't quite understand that, what's there some type of secondary review that the county does?

MR. EDSALL: No, it's required on all applications, I'm trying to remember to put this on so that we remember to return the action form.

MR. ARGENIO: Okay, so that's, the action form has to go back to the county?

MR. CORDISCO: Yes.

MR. ARGENIO: I'm aware of that.

MR. EDSALL: Especially my concern is when there's a recommendation they made that either we totally disagree with or we want to tell them that their comment was inappropriate.

MR. CORDISCO: They want to know what we did.

MR. ARGENIO: I understand which we typically do. If any of the members, Danny or Henry or Neil, would like to chime in please chime in, I won't feel insulted if you interrupt me but Mr. Paggi, I want to tell you this, what was your name, sir?

MR. NEILER: Eric Neiler.

MR. ARGENIO: Mr. Neiler's looking for final approval, you're not getting final approval tonight, I'm going to tell you why I won't give final approval tonight because--

MR. VAN LEEUWEN: You're awful blunt.

MR. ARGENIO: --we cannot and we will not and it's not prudent as a board for us to trump the health department, it's a bad precedent for us to make and for us to do a me-too with the health department still out there is not right because a litany of things can happen with the health department as it relates to septic systems, location of septic systems, size of aboveground septic systems, construction of aboveground septic systems, et cetera, et cetera, ad nauseum. Now you're dying to speak and I'm going to give you a minute to speak as soon as I'm done, you have not been here for these meetings but the thrust of this application our response to this application has been for the most part fairly favorable. Neil, am I, would you agree with that?

MR. SCHLESINGER: Yes.

MR. ARGENIO: Danny, would you agree?

MR. GALLAGHER: Absolutely.

MR. ARGENIO: Henry?

MR. VAN LEEUWEN: Absolutely.

MR. ARGENIO: Having said that we're not here to stop your application, to stop your applicant, and I'm going to refer to the, let me just intercede for just one second, Mark's second page all the bullets on the top are a, are all miscellaneous items, the things that Mr. Neiler you have to do sign sizes and the way they face, things like that you have to do.

MR. EDSALL: Minutia.

MR. ARGENIO: You have to do them but as far as this board is concerned there's bigger things for to us deal with, that is stuff that Mark will review and you'll take care of it, there will be a bond in place and we'll make sure you take care of it or Mark will make sure you take care of it. But this Department of Health thing needs to be tied down. Now, you also need to get City of Newburgh referral for the water shed, that's an issue, that's an issue that could affect discharge, could affect a million different things. Having said all of that, I certainly am familiar with the predicament you're in, the chicken or the egg proverbial predicament, and Mark or Dominic if I misspeak please intercede, I think what we should what I am going to propose to the members propose if there's work that you need to do on this site to get your department of health approval, i.e., bring fill in to create an aboveground system for which you'll do perc tests on which that data you will submit to the county so you can continue to work to get your sanitary disposal approval, I'm going to suggest to the members

and I'm only one of four here, I think, I hope the board would look favorably on allowing you to do that to keep this application moving. That doesn't mean build the buildings, that means get that taken care of so you can get your department of health approval. In the meantime, hopefully, Mr. Hauser or somebody from the City will respond on this other watershed business and that will fall together and come back and see us for final. Mark, have I misspoke or Dominic?

MR. CORDISCO: No, I would just add, Mr. Chairman, that if you were to grant conditional site plan approval that's only valid for 180 days with two 90 day extensions that's written in the Town Code, not in the State Code.

MR. ARGENIO: That starts a clock which they don't need.

MR. CORDISCO: You may or may not satisfy those conditions.

MR. ARGENIO: I may be doing you a favor by not starting the clock. Do you take exception to anything I just said?

MR. PAGGI: I'd like to start by apologizing if I seem presumptuous.

MR. ARGENIO: No, you don't seem presumptuous.

MR. VAN LEEUWEN: If we were to do that and you went to the health department they'd give you nothing but a hard time cause they would say we overstepped our bounds.

MR. ARGENIO: It's a bad precedent for a planning board.

MR. PAGGI: Well, I did a little bit more homework, I

sat down with the health department and talked to them about this situation and explained as you said the chicken and the egg situation and this procedure was actually developed hand in hand with them, they have been excellent working with us Keith Miller over there has been wonderful to work with, and the concept was that all of design work has basically been prepared by us and reviewed by them. The only aspect of the approval that remains is importing the fill and testing it so the way the health department is looking at this is if we didn't like the fill we're going to tell you to take it at and bring it in till you get it right so they didn't have a problem with basically saying that technically you're there now you just got to bring in the right material.

MR. ARGENIO: Understood.

MR. PAGGI: So we actually thought that got you guys off the hook so that you were going to be okay with them doing that if you prefer it to be the other way around.

MR. ARGENIO: Yes, I do, we do. Neil, do you have a problem with that?

MR. SCHLESINGER: I agree.

MR. GALLAGHER: We always follow that precedent.

MR. VAN LEEUWEN: I'm very okay with it.

MR. ARGENIO: In all deference to you and the health department makes perfect sense but you know what one thing I've learned as long as I've sat here as soon as you think you got it figured out guess what, check again, cause you probably don't have it figured out.

MR. PAGGI: If we had known that you folks would be agreeable to letting us do some earth work to bring

material in we probably would have come with that.

MR. ARGENIO: That doesn't mean build the buildings, doesn't mean a 30,000 yard cut to fill on the site, it means work specifically relegated for approval with the Department of Health. Okay, does he need to get with Babcock?

MR. EDSALL: No, what I would suggest you do is put into the minutes the planning board authorizing them to do not only the grading and disturbance near the sanitary system but the grading of the entire access road, not the loop, not the loop but the access road and they need to initiate all the storm water management because once they start disturbing it they have to move forward on that limited to just that.

MR. ARGENIO: I will accept a motion to that effect.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board authorize--

MR. EDSALL: We need to put one more caveat on it which Dominic rightfully points out they have to get the concurrence of DEC because this is effectively starting the work and initiating their SWPPP and the SWPPP's not yet approved, so DEC's got to acknowledge that.

MR. CORDISCO: DEC would have to approve the SWPPP, they have to submit your--

MR. ARGENIO: Just want to read that in just for a second, motion has been made and seconded that the Town of New Windsor Planning Board authorize the Sisters of the Presentation to begin their septic work which includes importation of fill, miscellaneous

cleaning, grubbing in the area where the septic fields are going to go. In addition to that, they're authorized to construct the road leading to the septic disposal area. In addition to that, they're required to install all the necessary erosion control measures related to the work and the burden is on them to get DEC approval for their SWPPP so they can commence with the work. I just described it. If there's no further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. PAGGI: That's perfect.

MR. ARGENIO: You don't have exactly what you want. This board tries to keep things moving in an effective and safe and efficient manner for the people of the town and I think we have done that.

MR. PAGGI: That's very apparent. Thank you.

CREEK_VIEW_MOBILE_HOME_PARK_(07-32)

MR. ARGENTIO: Creek View Mobile Home Park. Proposal for existing mobile home park to reduce the number of units. That's nice, Mark that you put that in there, reduce the number of units and rearrange the units to increase conformity of the site. The plan was previously reviewed at the 12 December planning board meeting. Guys, if you recall, this is that mobile home park if you're to come out of Federal Block and make a right on Walsh Road, head towards the City of Newburgh maybe a hundred yards before the railroad trestle on the right side they came to us a few weeks ago and I had a parking comment, that's correct, and they're really cleaning this place up, they came to us with a set of plans and Mark had reviewed the plans and made some improvements on it. The board had some comments, Neil had some comments, I think Dan had a couple things to say about it and hopefully Mr. Brady, Mr. Brady has heeded those notes and taken care of it. Tell us, Mr. Brady, about the improvements you have made to the old plan as compared to the plan we see here this evening.

MR. VAN LEEUWEN: I don't see any parked cars in between the junk cars like this used to be years ago, loads of junk cars through there, every little spot had a junk car.

MR. BRADY: Good evening, Mr. Chairman, members of the board, my name is Patrick Brady, engineer for the applicant. As you said, I received Mark's comments and concerns with the board. Since the last plan you have seen we have added the proposed utilities on sheet 2, we have shown the proposed sanitary sewer, proposed water service which comes off Walsh Road, we have added notes that the electric shall be underground utilities, existing electric lines will be installed underground, proposed roadways last time you seen it it was proposed gravel, we changed it to paved roadway. We have added the notes required new notes would be 13, 14 and 15, 13

referring to the overhead wires to be removed and new utilities shall be installed underground, number 13 garbage disposal which will be corrected by individual waste cans at the trailers.

MR. SCHLESINGER: Each has their own?

MR. BRADY: Will have their own garbage cans.

MR. SCHLESINGER: They put it?

MR. BRADY: Yes, and note number 15 refers to a 911 directory that will be posted at the entrance to the trailers for fire purposes. There was an item that's not shown on this plan and we have to add the fire inspector reviewed the plan and State Code has changed and now they require a turnaround and we'll install that it needs to be to 20 feet wide and 70 feet long so if you see your plan we'll remove.

MR. ARGENIO: Mr. Brady, show me where you're going to put it.

MR. BRADY: We lost one parking space but we can add it over here.

MR. ARGENIO: Danny, that came up like in the last day or two, Neil, that's like the last day or two the turnaround thing came up.

MR. GALLAGHER: We touched on that at the last time.

MR. SCHLESINGER: That turnaround area is just like a long driveway, how do you turn around, back around?

MR. EDSALL: The comment came up and Assistant Fire Inspector Bedetti was trying to contact Pat, they were playing phone tag, I was able to meet with Barney today to find out what was specifically needed, it's a 20 foot wide place where the truck can back in and then

pull out forward so they don't have to back out onto the town road so with the location that Pat shows was approved by Mr. Bedetti.

MR. SCHLESINGER: Why can't they make a loop right around the four parking spots?

MR. BRADY: Not enough turning radius.

MR. ARGENIO: That's awful tight, Dominic can do it in his Mini Cooper probably.

MR. SCHLESINGER: Are you losing one parking spot and making up one by putting two in there?

MR. BRADY: We'd be making up three spots, we'd be making up two.

MR. SCHLESINGER: Losing one picking up two so we're--

MR. EDSALL: Plus two.

MR. BRADY: Losing one, picking up three.

MR. SCHLESINGER: Okay, parking areas are going to be paved or gravel?

MR. BRADY: Paved as per your request last month we put, if you see a note.

MR. ARGENIO: It will be paved within 12 months of final approval of them getting the C.O.

MR. BRADY: C.O. of the last trailer.

MR. ARGENIO: C.O. of the last trailer.

MR. VAN LEEUWEN: This is certainly an improvement. For 25 years I've been sitting here or more than that that had cars in between them.

MR. ARGENIO: You must be tired.

MR. SCHLESINGER: That turnaround was approved?

MR. EDSALL: Yes.

MR. VAN LEEUWEN: It was a mess.

MR. EDSALL: The original plan did have a turnaround that was the intent of the wide area at the end it was wide but not deep, what they needed was the depth so we suggested to Pat that he convert that area to parking spaces and put the deep turnaround, it's all resolved.

MR. ARGENIO: What else do you have on this?

MR. VAN LEEUWEN: You know when Freddy used to come here, have all the cars cleaned up, two weeks later all the cars would be back where they were, this is certainly an improvement.

MR. ARGENIO: Mark's note number 2 all previous comments from our office have been addressed.

MR. CORDISCO: Mr. Chairman, you already waived the public hearing on this, you adopted a negative dec under SEQRA.

MR. ARGENIO: I think a motion is in order.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Motion for what?

MR. ARGENIO: Final.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that

the Town of New Windsor Planning Board offer final approval for Creek View Mobile Home Park. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: You guys did a good job, that's going to be a great improvement to that area. Now if the other residents in your area can see fit to do something similar you'll be in good shape but don't hold your breath. Insert that the approval is subject to the change in the plans for the turnaround and the addition of that one parking place.

MR. BRADY: Yes, three parking places.

MR. ARGENIO: And the note has already been--

MR. CORDISCO: In the resolution just so you're aware.

MR. ARGENIO: You'll put that on there? You're the man.

MR. CORDISCO: As we always do.

DISCUSSION:

BCM_SENIOR_PROJECT

MR. EDSALL: The applicant will be making a presentation, see if you have any questions. At this point it's before you for a recommendation back to the Town Board. This is pre-site plan application, it's merely to advise the Town Board if you see any planning issues, problems or any concept compliance problems.

MR. BERGMAN: Jerry Bergman with Clough Harbour.

MR. FRANKEL: I'm Charlie Frankel with Rider Weiner & Frankel.

MR. ARGENIO: Go ahead, Mr. Bergman, tell us what you're going to do here, I want to know where you are first.

MR. BERGMAN: We're in here, explain what we're here for, the process.

MR. FRANKEL: Well, I think they know the process. Basically, if you're familiar with the New Windsor golf course it's a par 3 and an executive and there's a sports dome, and that's this property and essentially the way it's designed is there are 228 units of a condominium project, senior citizen.

MR. VAN LEEUWEN: On how many acres?

MR. BERGMAN: Sixty acres and 47, about 47 is usable, About 47 is usable after we take the wetlands and easements out.

MR. ARGENIO: Mr. Bergman, can you turn the drawing that shows me where the wetlands are? I didn't say throw it on the ground, the drawing that shows me where the wetlands are relative to your development.

MR. BERGMAN: Well, we haven't shown the wetland line on here.

MR. ARGENIO: Can you show me about where they are?

MR. BERGMAN: Absolutely. Let me show you the overall plan. This is Mt. Airy, Bethlehem and Mt. Airy comes down this way, the existing golf course is in here, the wetlands come up into this site from the west, they come up through portions of the golf course, some of these areas are delineated as wetlands.

MR. ARGENIO: Can you draw approximately where they are? Do I have to throw my pen at you?

MR. BERGMAN: No, I can't other than what we've shown on here.

MR. ARGENIO: My question is is the project run by wetlands or is there miscellaneous wetlands somewhere around the project?

MR. BERGMAN: The wetlands basically are in this area down here. We have designed the golf course, the actual fairways to avoid the wetlands but the wetlands will be between the fairways and--

MR. ARGENIO: Does this project include reconstruction of the existing golf course?

MR. BERGMAN: Yes.

MR. ARGENIO: Go ahead.

MR. BERGMAN: In fact, there's 18 holes of golf out there right now and will end up with nine. Again, 228 units, public sewer, public water, you're in a water district, we're not in a sewer district.

MR. ARGENIO: Mark, how are they going to handle that not being in a district?

MR. BERGMAN: We'll ask for an extension or out of district user status.

MR. ARGENIO: That's an issue.

MR. EDSALL: It is and they're aware of it and they also have been working with the town sewer on connection points.

MR. ARGENIO: Where is the capacity going to come from?

MR. EDSALL: Capacity from a physical standpoint or a contractual standpoint?

MR. ARGENIO: Both.

MR. EDSALL: Contractual they would need and they'd have to purchase capacity via Moodna Majestic agreement but as far as the connection point goes that's been an issue that we have been struggling with.

MR. BERGMAN: We have sat with Mark and Mark's partner Mr. McGoey on possible points, we show two of the points on this plan, one being connecting into the new Briarwood pump station and carrying down that way. The other is down to the south, there's a new pump station going in this new subdivision here, in fact, I think the pump station is completed, I don't know the name of the subdivision.

MR. ARGENIO: Quite frankly, it's not incredibly relevant the capacity of the pump stations from tonight are not relevant, that's McGoey and Edsall's issue but I just asked the question just to make sure that somebody has an idea of where this is going to happen.

MR. BERGMAN: We do. We have discussed it, we know

that upgrading of the existing pump stations will have to be done and my client is aware of that.

MR. ARGENIO: Who's your client?

MR. BERGMAN: BCM, they're both here, the partners are both here, Tony Siella, Joe Millstein.

MR. ARGENIO: You guys are buying the property from Alva?

MR. VAN LEEUWEN: That's an awful lot of units in that area.

MR. SCHLESINGER: I read the paperwork Myra gave me on this according to the acreage I think they're allowed a lot more units.

MR. ARGENIO: They certainly are.

MR. BERGMAN: You know, if you were to allow us to have the allowed units are 9 per acre and we're about 4.7 per acre what's shown on this plan right now.

MR. ARGENIO: Let me just say something to the board members, the purpose of this meeting is for us to recommend to the Town Board or not whether we feel this is an appropriate location or not for this type of thing. The specifics of the design and such are something that will be discussed moving forward. I mean, it seems to me that golf course there you have a bubble, I mean, it's not a bad--

MR. SCHLESINGER: Relative to what you're saying and I agree with you but in the paperwork that I was reading I was a little bit confused as far as the operation is concerned and you may think that that's not relative but it is. I mean, is the golf course part of the package of the units?

MR. FRANKEL: The way it's going to work, the way we propose it to work is to have the entire property be a condominium with residential units for all of the owners and two commercial units, one being the golf course and one being the dome. So that it would all be one condominium but those would be separate units operated as a condominium unit.

MR. ARGENIO: You're addressing the physical structures, he's asking about the use of the golf course.

MR. SCHLESINGER: In other words, the people who live there are going to have not only access, access is not, the important thing to me is that going to be part of their package?

MR. FRANKEL: Yes, yes it will be.

MR. SCHLESINGER: What are they buying?

MR. FRANKEL: When they have a unit they'll have rights to this, they'll have an agreement that's either at a preferred or equivalent rate to anybody else to use these facilities.

MR. SCHLESINGER: So it is by choice, it's not, in other words, it's not an automatic complimentary use of the golf course, it's available for you if you want it you may be able to have it at a discounted rate or whatever.

MR. FRANKEL: That's correct and the golf course and the dome will be as condominium units paying part of the cost of the common units so that will help them all in terms of reducing the--

MR. BERGMAN: We do propose a separate clubhouse just for the condominium uses.

MR. CORDISCO: And that condominium structure those users are something we're going to be wanting to be paying close attention to as part of the review process.

MR. EDSALL: We're commenting on side from the wings relative to it being very important that the structure of the condo association and that the usage by the seniors is clearly delineated because when the senior regulations were written and I remember it very clearly because Mike Babcock and I put hours if not days if not months putting it together it was very important that as a component that this isn't just a business operation running next to a senior complex. So I think you're going to have to get extremely specific with both the Town Board and the planning board and Mr. Chairman you may want to make that recommendation back to the Town Board that you want that to be very carefully addressed.

MR. ARGENIO: My contemporary what he was saying to me was that he is questioning the wisdom of the location of this and my response is, I mean, I think it's great, you've got a golf course right there, you have a dome there for exercise.

MR. EDSALL: When the code was written and this specific provision was added Mr. Frankel worked with us on some of the ideas that he had obviously his client was looking for it to be included but it was very favorable he looked at as long as it could be wrapped in--

MR. ARGENIO: This location.

MR. EDSALL: --this specific location and type of operation, not just written for them but any other use that would mix these type of amenities and also a river front use is an option that we looked at that would allow such amenities.

MR. ARGENIO: Henry, you have to remember too that the senior project that came through just recently in the Vails Gate area is a different type of senior project, it's a totally affordable senior project. And I envision in my mind, Mark, help me in my thought process on this that a different type of senior citizen would live in the senior project that we recently approved in Vails Gate than would live in here. This project, a senior citizen like yourself would live there or like my uncle and somebody in their late '60s early 70's is healthy and wants to have a fairly independent lifestyle, most of them are going to drive, they're not going to be taking the bus or looking to walk to Rite-Aid and they're going to be active seniors. No, I think it's, again, I'm one voter for it, everybody is going to vote but I don't think it's--

MR. EDSALL: The intent was on these type of uses that the commercial uses would have some opportunities for the general public so that that would help shape the case and make the seniors have a more affordable complex but not the reverse where the seniors would have to almost wait in line to get to use commercial facilities so again, the thought process is more that the primary is to serve the complex, secondary to let the public in.

MR. ARGENIO: Let the record reflect if their board does recommend to the Town Board that there's an appropriate location for the seniors the record should be clear that exactly what Mark said is the case, it is our opinion that the facilities that are in place there or that are proposed for this are primarily to serve the seniors and not a for-profit operation for the public, if it does get a favorable recommendation. Go ahead, Mark.

MR. EDSALL: No, that was it, I mean, that's the real key of why we wrote it that way.

MR. VAN LEEUWEN: This is the first time I've seen this, I have not seen it before, kind of shocked me, it's still shocking me right now, if you push to vote I would say no, but I would like to have time to think it over and take a better look at this. I haven't been out there in quite a while, I know where it is, I have been to the site many times and I need time to think it over because this to me right now, no.

MR. EDSALL: Hank, one of the things when and if they're back with a favorable recommendation and then the Town Board says fine, go ahead and make your site plan application, you'll have the chance to look at it in real detail to make sure that it fits, that's the key with the site plan portion.

MR. VAN LEEUWEN: Can I say something? In the meantime, they're going to invest a lot more money and I'd like to, I'm a person that doesn't like to spend money if I don't have to, okay, and that's exactly what I'm saying if they can hold this off for two weeks until we have the next meeting I will have my mind made up and I will go out and take a look at the whole situation. If that's what the rest of the board members want to do, I'm only one member.

MR. ARGENIO: I think that that's wise if you're not prepared to vote as such even if you abstain it's a no vote so would I like this--

MR. VAN LEEUWEN: No, you've got three, I'm only the fourth.

MR. ARGENIO: At that point, they need a unanimous vote.

MR. VAN LEEUWEN: They should, absolutely, because it would look better to the Town Board but that's--

MR. SCHLESINGER: You just want to put it off for two weeks.

MR. ARGENIO: One meeting is what I'm proposing.

MR. SCHLESINGER: I think in the long term I don't think that's going to make a difference. I will honestly say that initially and you had a chance to think about it but I'm not so sure I agree with you, Hank, but I think in all fairness--

MR. ARGENIO: Sir, I don't want to hold you up but I don't want, let me finish, I don't want to make an attempt to force a unanimous vote and I'm going to say I want to defer the vote till the next meeting. I can do that, can't I, Dominic?

MR. CORDISCO: Well, certainly.

MR. ARGENIO: That's what I want to do so Mr. Van Leeuwen can make a more informed vote because I don't want to do you a disservice by compelling a unanimous vote and suddenly you have a bigger problem.

MR. FRANKEL: We appreciate that there's one issue that's wrapped up in just what your concern is at least as I read it with the amenities and that's, that as I read the new statute or ordinance in order to have an amenity like this it would also be, the board would have to separately recommend that that be part of this project. Is that right?

MR. EDSALL: What has to happen is that I believe that the Town Board when they ultimately issue their special permit the Town Board has to include this in their special permit and they can adopt conditions of including it. So hence if the Town Board believes your suggestions are right on target, they in fact may include in their special permit the limitations, you know, as far as percentage of uses. So yeah, that's

exactly right but for now I think we're--

MR. ARGENIO: The deference of this vote is in no way an indication that we're looking favorably or disfavorably on the project, the record should speak for itself. What else?

MR. BERGMAN: Any additional information you need between now and then?

MR. ARGENIO: Thank you.

SCHISANO

MR. EDSALL: One item just so that the record is complete with a particular application 06-17, Schisano and Forrester's office on Route 9W, when DOT ultimately issued their highway work permit for the project they required that the curb alignment change from that shown on the approved plan. So obviously we don't tell the DOT what to do in their right-of-way so the record should be clear that that work was done per DOT not per the plan that the board approved.

MR. ARGENIO: Okay. No issue.

MR. VAN LEEUWEN: No.

MR. ARGENIO: Motion to adjourn?

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

Respectfully Submitted By:

Frances Roth
Stenographer